



**FIRST-TIER TRIBUNAL  
PROPERTY CHAMBER  
(RESIDENTIAL PROPERTY)**

**Case reference** : **LON/00AK/HCP/2025/0004**

**Property** : **287 Hertford Road, London, N9 7ES**

**Applicant** : **Relocation Homes Limited**

**Respondent** : **London Borough of Enfield**

**Type of application** : **Appeals against alleged breaches of:**  
**(1) Regulation 4 of The Client Money Protection Schemes for Property Agents Regulations 2019 - A failure to comply with the duty to display or publish your valid client money protection certificate**  
**(2) Section 83(3) of the Consumer Rights Act 2015 - a failure to comply with the duty to display or publish required information on your website**

**Tribunal** : **Tribunal Judge I Mohabir**

**Date of decision** : **28 January 2026**

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**DECISION**

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## **BACKGROUND**

1. The Respondent served on the Applicant two financial penalty notices dated 29 July 2024 (“the notices”). The notices were issued in respect of the Applicant’s alleged breaches of:
  - (a) Regulation 4 of The Client Money Protection Schemes for Property Agents Regulations 2019 - A failure to comply with the duty to display or publish your valid client money protection certificate.
  - (b) Section 83(3) of the Consumer Rights Act 2015 - a failure to comply with the duty to display or publish required information on your website.
2. Both notices expressly stated that any appeal had to be made within 28 days of the date on the notices and should be made to the First-tier Tribunal General Regulatory Chamber (“GRC”) in accordance with paragraph 5(3) in Schedule 9 to the Consumer Rights Act 2015 (“the Act”) (as amended).
3. On 19 September 2024, 4 April 2025 or 9 September 2025 (dated 19 September 2024) the Applicant purportedly made an appeal to the GRC. The somewhat confused procedural history of the appeal to that Tribunal is set out in its decision dated 21 October 2025 deciding that it had no jurisdiction to deal with the appeal. The jurisdiction to hear the appeal was transferred to this Tribunal on 26 December 2024.
4. By an application dated 5 April 2025, the Applicant applied to this Tribunal to appeal the notices.
5. It appears that the appeals, whether to the GRC or this Tribunal, are outside the permitted 28 statutory time limit to do so and there is no apparent discretion that allows the Tribunal to entertain an appeal out of time.

## **Relevant Law**

6. Paragraph 5 in Schedule 9 to the Act provides:

*“5(1)A letting agent on whom a final notice is served may appeal against that notice to—*

  - (a) the First-tier Tribunal, in the case of a notice served by a local weights and measures authority in England, or*
  - (b) the residential property tribunal, in the case of a notice served by a local weights and measures authority in Wales.*

*(2) The grounds for an appeal under this paragraph are that—*

  - (a) the decision to impose a financial penalty was based on an error of fact,*
  - (b) the decision was wrong in law,*

*(c) the amount of the financial penalty is unreasonable, or*

*(d) the decision was unreasonable for any other reason.*

*(3) An appeal under this paragraph to the residential property tribunal must be brought within the period of 28 days beginning with the day after that on which the final notice was sent.*

*(4) If a letting agent appeals under this paragraph, the final notice is suspended until the appeal is finally determined or withdrawn.*

*(5) On an appeal under this paragraph the First-tier Tribunal or (as the case may be) the residential property tribunal may quash, confirm or vary the final notice.*

*(6) The final notice may not be varied under sub-paragraph (5) so as to make it impose a financial penalty of more than £5,000.*

### **Determination**

7. As directed, the Tribunal's determination took place on 28 January 2026 and was based solely on the statements of case and the documentary evidence filed and served by both parties. Neither party requested an oral hearing.
8. The Tribunal's determination is limited to the preliminary issue of whether or not it has jurisdiction to hear the Applicant's appeal.
9. Unfortunately, the statement of case filed by the Applicant does not address the issue of jurisdiction specifically.
10. To the extent that it does, the Applicant's statement of case simply gives an explanation of the somewhat confused procedural history of its purported appeal to the GRC. The Tribunal is not concerned in this decision with the merits of the appeal and other mitigating circumstances that gave rise to the notices being served by the Respondent.

### **Findings**

11. Based on the evidence before it, the Tribunal made the following findings:
  - (a) that by letters dated 29 July 2024, the Respondent served the final financial penalty notices on the Applicant who was deemed served on 31 July 2024. That is the date from which time the 28 day time limit to make an appeal to the GRC under paragraph 5(3) in Schedule 9 to the Act commenced.
  - (b) that the Applicant's purported appeal to the GRC was not made until 19 September 2024, outside the 28 day limit permitted by paragraph 5(3) in Schedule 9 to the Act.
  - (c) that jurisdiction to hear the appeal was transferred to this Tribunal on 26 December 2024.

- (d) that the Applicant's application to appeal the financial penalty notices is dated 5 April 2025, outside the 28 day limit permitted by paragraph 5(3) in Schedule 9 to the Act.

### **Decision**

12. The Tribunal is, therefore, satisfied that it has no jurisdiction to hear the Applicant's appeal against the financial penalty notices and that there is no saving provision in the Act that gives it a discretion to extend the 28 day time limit. Accordingly, the appeal application is dismissed.

**Name:** Tribunal Judge I Mohabir

**Date:** 28 January 2026

### **Rights of appeal**

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).